

Serial No. 10,602,858

Attorney Docket No. 2291-001

Applicant respectfully wishes to traverse the Examiner's rejection as there is no contemplation or motivation provided in Melendez to combine it with that of Dvorachek.

Melendez provides a timer for periodically actuating the valve which actuates the braking system. Melendez does not contemplate the need to override the timer circuit and maintain the pneumatic circuit in an applied state and therefore would not be motivated to look for a pressure switch to do so. Therefore, Applicant believes that it is improper to combine the references to Melendez and Dvorachek in the absence of any motivation found therein to do so.

Examiner has rejected claims 2 and 12 under 35 USC 103(a) as being unpatentable over Melendez and Dvorachek as applied to claims 1 and 11 and further in view of Zeleney.

As stated above, Applicant believes that the combination of Melendez and Dvorachek is improper and the addition of Zeleney does not assist in making the combination proper.

Examiner has rejected claims 3, 4, 7, 8 and 13-15 under 35 USC 103(a) as being unpatentable over Melendez and Dvorachek as applied to claim 1 and further in view of Gutierrez.

As stated above, Applicant believes that the combination of Melendez and Dvorachek is improper and the addition of Gutierrez does not assist in making the combination proper.

Further, for completeness, and with particular reference to comments made for claims 7 and 13, Examiner has stated that Gutierrez teaches an ABS brake light diagnostic circuit. Gutierrez does not teach an ABS braking system. Further, Applicant believes that at the time of filing of Gutierrez's patent application, being 1995, ABS brakes were not available and therefore references in Gutierrez found at col. 5 lines 23-29 are only to electric or pneumatic brakes available at that time.

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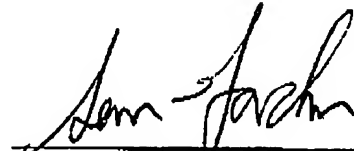
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In light of the arguments presented herein, Applicant believes that claims 1-18 are in condition for allowance and respectfully requests reconsideration and allowance of the claims as originally filed.

Respectfully submitted,

Date:

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